

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING ORDINANCE NO. 06-11-119, SECTIONS 3 AND 4 WATER SERVICE CHARGES AND SANITARY SEWER CHARGES, TO PROVIDE FOR INCREASES IN MONTHLY FEES FOR RESIDENTIAL AND COMMERCIAL ACCOUNTS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas ("Frisco" or "City") to revise various fees and charges for water and sewer services, and;

WHEREAS, Frisco has complied with all procedural and legal requirements to amend Ordinance No. 06-11-119 for the purposes set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Ordinance No. 06-11-119 (Establishing Various Fees), Section 3 Water Service Charges and Section 4 Sanitary Sewer Charges. Ordinance No. 06-11-119 (Establishing Various Fees), Section 3 Water Service Charges and Section 4 Sanitary Sewer Charges is hereby amended as follows:

SECTION 3: **Water Service Charges.** There shall be charged and collected each month by the City of Frisco, Texas from the consumers of water service the amount of money hereinafter set out, based upon the following rates:

A. Residential Service Fees:

Residential Meters	Monthly Cost
Minimum bill includes 2,000 gallons	\$11.00

2,001 to 15,000 gallons	\$2.69/ per thousand*
15,001 to 25,000 gallons	\$3.15/per thousand*
25,001 gallons and above	\$3.39/per thousand*

*Note: Cost per thousand gallons of water or fraction thereof.

- B. **Commercial Service Fees:** The minimum monthly charge shall be based on the meter size and shall be billed at the following rates which include the cost of 2,000 gallons of water:

Meter Size	Monthly Charge Includes 2,000 gallons	Cost Per Thousand gallons*
3/4" standard	\$ 12.00	\$2.79
1"	\$ 17.82	\$2.79
1 1/2"	\$ 35.66	\$2.79
2"	\$ 56.72	\$2.79
3"	\$ 105.35	\$2.79
4"	\$162.08	\$2.79
6"	\$340.37	\$2.79

*Note: Cost per thousand gallons of water or fraction thereof.

- C. For multi-family units on master meters, a minimum of \$11.00 per unit will be charged, with \$2.79 per thousand gallons for each thousand gallons of water or fraction thereof used above the total number of units multiplied by 2,000 gallons.
- D. Outside City limit rate for all rate classes shall be: multiplied by a factor of 1.5 for both the minimum monthly meter service and the rate for larger consumption.

SECTION 4: **Sanitary Sewer Charges.** There shall be charged and collected each month by City for sanitary sewer service the amount of money hereinafter set out based on the following rates:

- A. The minimum monthly sewer charge shall be \$11.00 for any single-family residential unit whose water consumption for the month does not exceed 2,000. The minimum monthly sewer charge shall be \$19.46 for commercial and industrial users whose water consumption for the month does not exceed 2,000 gallons.
- B. For each consumer whose water consumption in any month exceeds 2,000 gallons, the monthly sewer rate shall be \$2.50 per thousand gallons of water or

fraction thereof. The charge for single-family residential sewer service shall be determined by averaging the January, February and March water bills and applying the applicable rates.

- C. For each consumer whose average water consumption during the months of January, February and March exceeds 2,000 gallons, the monthly sewer rate shall be \$2.50 per thousand gallons of water or fraction thereof; provided, however, in no event shall single-family residential sewer service exceed the winter average on a monthly basis.
- D. Residential customers on master meters shall pay a minimum of \$11.00 per unit per month plus \$2.50 per thousand gallons of water or fraction thereof for all consumption above the total number of units multiplied by 2,000 gallons. This provision applies to mobile home parks, apartment units and the like.
- E. Commercial and industrial customers on master meters shall pay a minimum of \$19.46 per unit per month and \$2.50 per thousand gallons of water or fraction thereof for all consumption above the total number of units multiplied by 2,000 gallons.
- F. Industrial users in City pretreatment program shall be charged \$0.20 per thousand gallons of water or fraction thereof in addition to the regular charges.
- G. All mobile home parks, apartment complexes, commercial and industrial sewer customers shall be billed monthly on their total volume of water consumption. Water used in a direct manufacturing process or for irrigation purposes can only be exempted upon request of and written approval by City.

SECTION 5: Savings/Repealing Clause. Frisco Ordinance No. 06-11-119 shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

SECTION 6: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this

Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 7: Effective Date. This Ordinance shall become effective from and after its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this 2nd day of December, 2008.

MAHER MASO, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**

APPROVED AS TO FORM:

RON PATTERSON
Interim City Secretary

ABERNATHY, ROEDER, BOYD & JOPLIN, P.C.
City Attorney

DATES OF PUBLICATION: _____, **FRISCO ENTERPRISE**